

**BUILDING PERMIT REQUIREMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: R. Neil Walter**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to building permits issued by a county or municipality.

**Highlighted Provisions:**

This bill:

- ▶ prohibits a county or municipality from changing or adding to building permit requirements after issuance of the building permit **↔** , **except in certain circumstances** **↔** .

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**10-9a-509**, as last amended by Laws of Utah 2023, Chapter 478

**17-27a-508**, as last amended by Laws of Utah 2023, Chapter 478

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **10-9a-509** is amended to read:

**10-9a-509. Applicant's entitlement to land use application approval --**

**Municipality's requirements and limitations -- Vesting upon submission of development**

H.B. 188



90 withholding of a certificate of occupancy; or

91 (ii) the applicant has not provided a financial assurance for required and uncompleted  
92 public landscaping improvements or infrastructure improvements in accordance with an  
93 applicable ordinance that the legislative body adopts under this chapter.

94 (2) A municipality is bound by the terms and standards of applicable land use  
95 regulations and shall comply with mandatory provisions of those regulations.

96 (3) A municipality may not, as a condition of land use application approval, require a  
97 person filing a land use application to obtain documentation regarding a school district's  
98 willingness, capacity, or ability to serve the development proposed in the land use application.

99 (4) Upon a specified public agency's submission of a development plan and schedule as  
100 required in Subsection 10-9a-305(8) that complies with the requirements of that subsection, the  
101 specified public agency vests in the municipality's applicable land use maps, zoning map,  
102 hookup fees, impact fees, other applicable development fees, and land use regulations in effect  
103 on the date of submission.

104 (5) (a) If sponsors of a referendum timely challenge a project in accordance with  
105 Subsection 20A-7-601(6), the project's affected owner may rescind the project's land use  
106 approval by delivering a written notice:

107 (i) to the local clerk as defined in Section 20A-7-101; and

108 (ii) no later than seven days after the day on which a petition for a referendum is  
109 determined sufficient under Subsection 20A-7-607(5).

110 (b) Upon delivery of a written notice described in Subsection (5)(a) the following are  
111 rescinded and are of no further force or effect:

112 (i) the relevant land use approval; and

113 (ii) any land use regulation enacted specifically in relation to the land use approval.

114 (6) After issuance of a building permit, a municipality may not change or add to the  
115 requirements expressed in the building permit ~~H→~~ , unless the change or addition is:

115a (b) requested by the building permit holder; or

115b (c) necessary to comply with an applicable state building code ←H .

116 Section 2. Section 17-27a-508 is amended to read:

117 **17-27a-508. Applicant's entitlement to land use application approval --**

118 **Application relating to land in a high priority transportation corridor -- County's**

119 **requirements and limitations -- Vesting upon submission of development plan and**

120 **schedule.**

183 (2) A county is bound by the terms and standards of applicable land use regulations and  
184 shall comply with mandatory provisions of those regulations.

185 (3) A county may not, as a condition of land use application approval, require a person  
186 filing a land use application to obtain documentation regarding a school district's willingness,  
187 capacity, or ability to serve the development proposed in the land use application.

188 (4) Upon a specified public agency's submission of a development plan and schedule as  
189 required in Subsection 17-27a-305(8) that complies with the requirements of that subsection,  
190 the specified public agency vests in the county's applicable land use maps, zoning map, hookup  
191 fees, impact fees, other applicable development fees, and land use regulations in effect on the  
192 date of submission.

193 (5) (a) If sponsors of a referendum timely challenge a project in accordance with  
194 Subsection 20A-7-601(6), the project's affected owner may rescind the project's land use  
195 approval by delivering a written notice:

- 196 (i) to the local clerk as defined in Section 20A-7-101; and
- 197 (ii) no later than seven days after the day on which a petition for a referendum is  
198 determined sufficient under Subsection 20A-7-607(5).

199 (b) Upon delivery of a written notice described in Subsection(5)(a) the following are  
200 rescinded and are of no further force or effect:

- 201 (i) the relevant land use approval; and
- 202 (ii) any land use regulation enacted specifically in relation to the land use approval.

203 (6) After issuance of a building permit, a county may not change or add to the  
204 requirements expressed in the building permit ~~Ĥ~~→ , unless the change or addition is:

- 204a (b) requested by the building permit holder; or
- 204b (c) necessary to comply with an applicable state building code ←Ĥ .

205 Section 3. **Effective date.**

206 This bill takes effect on May 1, 2024.